

to be used in the payment of the current expenses of the State Government:

Direct tax account....	\$115,449 86
Unorganized tax account....	68,706 97
Escheated estates account..	4,087 52

"Section 2. That the Comptroller of Public Accounts shall make such entries on the books of his department as will show the transfers directed in Section 1, of this act, and shall notify the State Treasurer of said transfers.

"Section 3. That should any claim authorized by law be presented against any one of these accounts from which funds have been borrowed and transferred by Section 1, of this act, not exceeding the amount transferred from such account, the Comptroller shall forthwith transfer from the general revenue account back to the account against which any lawful claim may be presented, such an amount as will be sufficient to pay said claim without reference to any warrants, whether registered or otherwise, which may be outstanding against the general revenue.

"Section 4. That all laws and parts of laws in conflict with the provisions of this act be and the same are hereby repealed.

"Section 5. Whereas, the immediate operation of the provisions of this act will place in the Treasury to the credit of the general account additional funds necessary for the payment of the current expenses of the State Government; therefore an emergency exists that the Constitutional rule requiring this bill to be read on three several days be suspended, and that this act take effect and be in force from and after its passage, and it is so enacted."

On motion of Senator Bowser, at 3:10 p. m. the Senate went into executive session on the Governor's appointments. (See Journal of the 12th instant.)

#### AFTER EXECUTIVE SESSION.

Senator Sherrill moved that the Senate go into executive session next Friday, Jan. 17, to consider the Governor's appointments.

Carried.

On motion of Senator Steele, Senate adjourned to 10 a. m. tomorrow.

#### SEVENTH DAY.

Senate Chamber,  
Austin, Texas, January 15, 1895.

Senate met pursuant to adjournment.

Lieutenant Governor Crane in the chair.

Roll called. Quorum present, the following senators answering to their names:

Present—Agnew, Atlee, Bailey, Beall, Boren, Bowser, Colquitt, Crowley, Darwin, Dean, Dibrell, Dickson, Gage, Goss, Greer, Harrison, Lawhon, Lewis, McComb, McKinney, Rogers, Sherrill, Simpson, Smith, Steele, Tips, Whitaker, Woods.

Absent—Senators Presler and Shelburne.

Prayer by the Chaplain, Dr. Smoot.

Pending the reading of the Journal of yesterday,

On motion of Senator Woods, the same was suspended.

On motion of Senator Smith, Senator Shelburne was excused for non-attendance on Senate for yesterday, today and tomorrow on account of sickness.

On motion of Senator Rogers, Senator Bailey was excused for yesterday on account of sickness.

On motion of Senator Atlee, Senator Lawhon was excused from morning session on account of important business.

#### HOUSE MESSAGE.

The following message was received from the House:

House of Representatives,  
Austin, Texas, January 15, 1895.

Hon. M. M. Crane, President of the Senate:

I am directed by the House to inform the Senate that a motion to reconsider the vote by which House concurrent resolution No. 2, providing for committees to visit the various State institutions has been made and spread upon the Journal. I am therefore directed by the House to request the Senate to return said resolution to the House.

Respectfully,

CHESTER HAILE,  
Chief Clerk House of Representatives.

On motion of Senator Lewis, permission was granted to withdraw House concurrent resolution No. 2.

#### COMMITTEE REPORTS.

Committee Room,  
Austin, Texas, January 15, 1895.

Hon. M. M. Crane, President of the Senate:

Your Judiciary Committee No. 2, to whom was referred

Senate bill No. 5, being a bill to be entitled "An act to repeal Chapter 74 of the acts of the Twenty-third Legislature, approved May 2, 1893, and found on page 98, General Laws of the Twenty-third Legislature of the State of Texas, and known as the Board of Pardons Advisers,"

Have had the same under consideration, and instruct me to report the same back with the recommendation that it do pass, with the following amendment:

Amend by adding section 2, as follows:

"Section 2. Whereas, the terms of members of the Board of Pardon Advisers are about to expire; and whereas, without remedial legislation it will now be necessary to appoint the successors of the said members of the existing board, an emergency exists; therefore, be it enacted, that the constitutional rule requiring bills to be read on three several days be suspended, and this act take effect and be in force from and after its date.

AGNEW, Chairman.

Committee Room,  
Austin, January 14, 1895.

Hon. M. M. Crane, President of the Senate:

Your Judiciary Committee No. 2, to whom was referred

Senate bill No. 9, being a bill to be entitled "An act to make it a penal offense for any person in this State to unlawfully sow, scatter or place on land not his own, the seed or root of Johnson grass, or the seed or root of any other vegetation, which will make such land unsuitable for cultivation of cotton or of corn or any other grain, or which will make the cultivation of such land in such crops more difficult, or which will impair or diminish the value of such land for the cultivation of such crops as are usually grown thereon, to prescribe the punishment therefor and to prescribe the procedure in prosecutions in such cases,"

Have had the same under consideration, and instruct me to report the same back with the recommendation that it do pass.

AGNEW, Chairman.

Committee Room,  
Austin, Texas, January 14, 1895.

Hon. M. M. Crane, President of the Senate:

Your Judiciary Committee No. 1, to whom was referred

Senate bill No. 26, entitled, "An act to regulate the issuance of executions upon judgments of Courts of Record and to prevent such judgments from becoming dormant,"

Have had the same under consideration, and instruct me to report it back to the Senate with the recommendation that it do pass.

SMITH, Chairman.

Committee Room,  
Austin, Tex., Jan. 14, 1895.

Hon. M. M. Crane, President of the Senate:

Your Judiciary Committee No. 1, to whom was referred

Senate bill No. 20, entitled "An act amend article No. 3201, title 62, chapter 1, of the Revised Civil Statutes of the State of Texas."

Have had the same under consideration, and instruct me to report it back to the Senate with the recommendation that it do pass, with the following amendment:

"Provided further, that married women, or those claiming under them, shall have one year from and after the passage of this act within which to assert any right they may have to the land, or be forever barred."

LEWIS, Acting Chairman.

## BILLS AND RESOLUTIONS.

By Senator Greer:

A bill to be entitled "An act to authorize the La Porte, Houston and Northern Railroad Company to purchase and acquire and consolidate with it all the property, rights and franchises of the North Galveston, Houston and Kansas City Railroad Company, and the Houston

Belt and Magnolia Park Railway Company; and to change its corporate name."

Read first time and referred to Judiciary Committee No. 2.

By Senator Simpson:

A bill to be entitled "An act to provide for the transfer of vendor's lien notes when such liens are retained in deeds conveying real estate, so as to give the vendor of such real estate the right to convey to the assignee of such notes, the authority either to enforce his vendor's lien on the property, or to recover it by suit, for cancellation of the original contract of sale, as such grantor may now do, and to provide a means whereby the records of deeds in the clerk's office may show when such vendor's lien may have been paid."

Read first time and referred to Judiciary Committee No. 1.

By Senator Bailey:

A bill to be entitled "An act to authorize the incorporation of companies for the purpose, of constructing union depots, and to authorize railway companies to own stock and bonds of such depot companies, and to regulate the issuance of bonds by such union depot companies."

Read first time and referred to Committee on Internal Improvements.

By Senator Colquitt:

A bill to be entitled "An act to repeal chapter 100 of the acts of the Twenty-second Legislature."

Read first time and referred to Judiciary Committee No. 1.

By Senator Bowser:

A bill to be entitled "An act to amend section 6 of an act entitled 'An act to require railroad companies in the State of Texas to provide separate coaches for white and negro passengers, and to prohibit passengers from riding in coaches other than those set apart for their use, and confer certain powers upon conductors, and to provide penalties for the violation thereof,' passed by the Twenty-second Legislature and approved March, 1891, and amended April 11, 1891, by the addition thereto of section 6a."

Read first time and referred to Committee on Internal Improvements.

By Senator Simpson:

A bill to be entitled "An act to amend article 2558, chapter 9, title 51 of the Revised Statutes of Texas, relating to renting and leasing property, and investing and loaning money of wards."

Read first time and referred to Judiciary Committee No. 1.

By Senator Simpson:

"An act to repeal article No. 4249, Revised Statutes of Texas, requiring railroads to make an annual report to the Comptroller of Public Accounts."

Read first time and referred to Committee on Internal Improvements.

By Senator Simpson:

A bill entitled "An act to amend article 683b of the Penal Code of the State of Texas, and to add to said Code article 683b, as enacted by the Legislature of said State by act entitled 'An act to amend

article 683, chapter 3, title 17, of the Penal Code of the State of Texas, relating to malicious mischief, and providing a penalty therefor, by adding thereto article 683b, approved March 22, 1889, and amendatory of said recited act and to define and punish the offence of willfully and maliciously throwing missiles or firing guns or other firearms at or into moving trains on railroads in this State, and to repeal article 683b of said above recited act and all other laws in conflict with this act."

Read first time and referred to Judiciary Committee No. 2.

By Senator Woods:

A bill to be entitled "An act prescribing the time for the institution of suits for the recovery of land in certain cases."

Read first time and referred to Judiciary Committee No. 1.

By Senator Dean:

Whereas, It may be necessary for the Committee on Privileges and Elections to secure certain evidence pertaining to matters now pending before it; therefore, be it

Resolved, That the Chairman of said committee be and he is hereby authorized to issue such process as may be necessary to require the attendance of witnesses, and procure such documentary evidence as may be deemed necessary by said committee.

Adopted.

By Senator Tips:

Resolved, That immediately after the conclusion of the inaugural ceremonies today the Senate stand adjourned until 10 o'clock Wednesday morning, in order that preparations may be made for holding the inaugural ball, and that permission is hereby given to have said ball in the capitol.

Adopted.

By Senator Smith:

Resolved, That during the present session of the Legislature, each Senator shall be allowed to subscribe for one copy of each of any five of the daily newspapers of the state publishing the proceedings of the Senate, at not exceeding three cents per copy, to be paid out of the contingent fund.

Senator Bowser moved to amend by striking out one copy and inserting fifty copies to each member, as he may select.

The following substitute for Senator Smith's resolution was offered by Senator Steele:

Resolved, That each member of the Senate be allowed to subscribe for and take as many as five copies of such daily papers as he may select, to be paid out of the contingent funds of the Senate, at not exceeding three cents per copy; provided, that such newspapers shall publish the full proceedings of both houses of each day, or a substantial and intelligent synopsis of the same.

Senator Boren moved to table both the original and the substitute.

Lost by the following vote:

Yeas—10.

Boren.	Lewis.
Colquitt.	McKinney.
Darwin.	Rogers.
Gage.	Tips.
Harrison.	Woods.

Nays—16.

Agnew.	Dickson.
Atlee.	Goss.
Bailey.	Lawhon.
Beall.	Sherrill.
Bowser.	Simpson.
Crowley.	Smith.
Dean.	Steele.
Dibrell.	Whitaker.

The Chair gave notice of signing and did sign

Senate bill No. 3, "An act appropriating one hundred and ten thousand dollars to pay members mileage and per diem and officers and employes per diem of the Twenty-fourth Legislature."

Senate bill No. 4, "An act making an appropriation to defray the contingent expense of the Twenty-fourth Legislature."

After the captions of same had been read.

Recurring to the resolution offered by Senator Smith, Senator Steele's substitute therefor was lost by the following vote:

Yeas—4.

Bailey.	Crowley.
Bowser.	Presler.

Nays—23.

Agnew.	Lawhon.
Atlee.	Lewis.
Beall.	McKinney.
Boren.	Rogers.
Colquitt.	Sherrill.
Darwin.	Simpson.
Dean.	Smith.
Dibrell.	Steele.
Dickson.	Tips.
Gage.	Whitaker.
Goss.	Woods.
Harrison.	

Senator Agnew moved the previous question, which was seconded and prevailed.

The resolution was then lost by the following vote:

Yeas—12.

Agnew.	Goss.
Atlee.	Lawhon.
Bailey.	Simpson.
Crowley.	Smith.
Dean.	Steele.
Dibrell.	Whitaker.

Nays—16.

Beall.	Harrison.
Boren.	Lewis.
Bowser.	McKinney.
Colquitt.	Presler.
Darwin.	Rogers.
Dickson.	Sherrill.
Gage.	Tips.
Greer.	Woods.

Senator Greer then made the following

## PRIVILEGED REPORTS:

Committee Room,  
Austin, Texas, Jan. 15, 1895.

Hon. M. M. Crane, President of the Senate.

Your Committee on Enrolled Bills have carefully examined and compared

Senate bill No. 4, being "An act making an appropriation to defray the contingent expenses of the Twenty-fourth Legislature."

And find the same correctly enrolled, and have this day, at 10:50 a. m., presented the same to the Governor for his approval.

GREER, Chairman.

Committee Room,  
Austin, Texas, January 15, 1895.

Hon. M. M. Crane, President of the Senate:

Your Committee on Enrolled Bills have carefully examined and compared Senate bill No. 3, being "An act appropriating one hundred and ten thousand dollars to pay members' mileage and per diem, and officers' and employes' per diem, of the Twenty-fourth Legislature,"

And find the same correctly enrolled, and have this day at 10:50 a. m. presented the same to the Governor for his approval.

GREER, Chairman.

## HOUSE MESSAGE.

House of Representatives,  
Austin, Tex., Jan. 15, 1895.

Hon. M. M. Crane, President of the Senate:

I am directed by the House to inform the Senate that the House has passed the following concurrent resolution, to-wit:

House concurrent resolution No. 4: Whereas, In pursuance of a Federal statute it will on Tuesday, January 22nd inst., become the duty of this Legislature to proceed to the election of a United States Senator to succeed the Hon. Richard Coke, whose term of office will expire March 4, next; therefore, be it

Resolved, by the House of Representatives, the Senate concurring, That the candidates for United States Senator are hereby extended an invitation to address the Legislature of Texas on the political topics of the day, in this hall at 8 o'clock Monday evening, January 21st, 1895.

Resolved, That the Chief Clerk of the House and the Secretary of the Senate shall apprise said candidates of the adoption of this resolution.

CHESTER HAILE,  
Chief Clerk House of Representatives.

## BILLS ON SECOND READING.

The Chair laid before the Senate, Senate bill No. 27, entitled "An act to transfer to the general revenue account certain funds now in the State treasury to the credit of other accounts."

Bill read second time and committee amendment adopted.

By Senator Smith:

Amend section 1 by striking out the following: "Direct tax account, \$115,-449.86."

Lost.

(President Pro Tem. Lewis in the Chair.)

On motion of Senator Atlee, further consideration of the bill was postponed, and the same made special order for Thursday next after call.

The Chair laid before the Senate, Senate bill No. 5, entitled "An act to repeal chapter 74, of the acts of the Twenty-third Legislature, approved the 2nd day of May, 1893, and found on page 98 of the General Laws of the Twenty-third Legislature of the State of Texas, and known as the Board of Pardons Advisers."

Bill read second time and committee amendment adopted.

On motion of Senator Steele, consideration of the bill was postponed and same made special order for Friday next at 10:30 a. m.

The Chair laid before the Senate

Senate bill No. 9, entitled "An act to make it a penal offense for any person in the State to unlawfully scatter or set place on land not his own, the seed or roots of Johnson grass, or the seed or roots of any other vegetation which will make such land unsuitable for the cultivation of cotton, or of corn, or any other grain, or which will make the cultivation of such land in such crops more difficult, or which will impair or diminish the value of such land for the cultivation of such crops as are usually grown thereon; to prescribe the punishment therefor, and to prescribe the proceedings in prosecutions in such cases."

Bill read second time.

On motion of Senator Sherrill further consideration was postponed and the bill ordered printed in the Journal.

Section 1. Be it enacted by the Legislature of the State of Texas, That if any person in this State shall unlawfully sow, scatter or place on any land not his own the seed or roots of Johnson grass, or the seed or roots of any other vegetation whatever which is calculated to make such land unsuitable for the cultivation and growing of cotton, or of corn, or of any other grain, or any other crops usually grown on such land, or to make the cultivation of such crops more difficult, or to diminish or impair the value of such land for the purpose of raising such crops, he shall be deemed (guilty) of a felony, and on conviction thereof he shall be punished by confinement in the penitentiary for any period not less than two nor more than ten years.

Section 2. In prosecutions under the preceding article it shall not be necessary for the indictment to allege the name of the owner of the land, nor shall it be necessary for the State to prove the name of such owners, but it shall be sufficient to allege and prove that the land was not the property of the person accused.

The Chair then laid before the Senate Senate bill No. 20, "An act to amend

article 3201, title 62, chapter 1 of the Revised Civil Statutes of the State of Texas."

Bill read second time, with committee amendments.

On motion of Senator Smith consideration of the same was postponed till Friday next, 10 a. m., and the bill ordered printed in the Journal.

Section 1. Be it enacted by the Legislature of the State of Texas, That article 3201, title 62, chapter 1 of the Revised Civil Statutes of the State of Texas be so amended that it will hereafter read as follows:

"Article 3201. If a person entitled to commence suit for the recovery of real property, or to make any defense founded on the title thereto, be, at the time such title shall first descend, or the adverse possession thereof commence, under age of twenty-one years or of unsound mind, or a person imprisoned, the time during which such disability shall continue, shall not be deemed any portion of the time limited for the commencement of such suit or the making of such defense; and such person shall have the same time, after the removal of his or her disability that is allowed to others by the provisions of this chapter; provided, that this act shall in no way affect suits that are now or may be pending when this act takes effect, and all such suits shall be tried and disposed of under the provisions of the law now in force.

Committee amendment:

"Provided further, that married women or those claiming under them shall have one year from and after the passage of this act within which to assert any right they may have to the land, or be forever barred."

The Chair laid before the Senate

Senate bill No. 26, entitled "An act to regulate the issuance of executions upon judgments of courts of record, and to prevent such judgments from becoming dormant."

Bill read second time and ordered engrossed.

Senator Lawhon moved to suspend the constitutional rule requiring bills to be read on three several days and that the bill be put upon its third reading and final passage.

Senator Dean moved to postpone further consideration, and that fifty copies of the bill be printed, and one copy laid on the desk of each Senator.

Pending action,

On motion of Senator Goss, Senators Steele, Agnew and Tips were excused from further attendance on the morning session.

On motion of Senator Crowley, Senator Dibrell was added to the committee on Towns and City Corporations.

On motion of Senator Smith, Senator Agnew was added to Judiciary Committee No. 1.

The Chair announced that the hour of 12 m. having arrived the Senate would proceed to the Hall of the House of Representatives for the purpose hereinbefore mentioned.

### IN JOINT SESSION.

At 12 o'clock m., the honorable Senate of Texas was announced at the bar of the House for the purpose of joining the House in the inaugural ceremonies.

Escorted by Sergeant-at-Arms C. H. Allen, the Senators, on invitation of the Speaker, advanced into the hall and were seated along the aisle in chairs prepared for them.

Hon. Perry J. Lewis, Acting President pro tem, was invited to a seat on the right of the Speaker.

The President directed the Secretary to call the roll of the Senate and the following Senators answered to their names:

Senators Agnew, Atlee, Bailey, Beall, Boren, Bowser, Colquitt, Crowley, Darwin, Dean, Dibrell, Dickson, Gage, Goss, Greer, Harrison, Lawhon, Lewis, McKinney, Presler, Rogers, Sherrill, Simpson, Smith, Steele, Tips, Whitaker, Woods.

The President announced a quorum present.

The Speaker directed the Clerk to call the roll of the House, and the following members answered to their names:

Hon. T. S. Smith, Speaker; Messrs. Allen of Colorado, Allen of Dallas, Andrews, Armistead, Avery, Barron, Bass, Beaird, Bertram, Blair, Bounds, Bramlette, Brigance, Brown, Bumpass, Burmeister, Burney, Burns, Cameron, Carpenter, Carson, Cocke, Cureton, Darroch, Dashiell, Davis, Drew, Drinkard, Duff, Edwards, Evans of Hunt, Evans of Grayson, Falke, Feagin, Fletcher, Floyd, Foster, Freeman, Giddings, Gilliland, Good, Gough, Graham, Greer, Harrison, Jackson, Jennings, Joseph, Kennedy, King, Lillard, Lindsey, Logan, Long, Love, Maroney, Martin of Kinney, Martin of Coryell, Martindale, McBride, McKinney, McLemore, McNeill, McWilliams, Mills, Mitchell, Monroe, Moody, Moore of Morris, Moore of Lamar, Morris, Morrison, Murchison, Nix, O'Connor, O'Neal, Orr, Owsley, Patterson, Peck, Peyton, Plemmons, Radford, Ragsdale, Reiger, Rhodes of Wood, Rhodes of Van Zandt, Ritter, Robbins, Roy, Rudd, Seabury, Seago, Simmons, Smith of Milam, Smith of Purnells, Smith of Colorado, Smith of Brazos, Sowell, Speckels, Spillane, Spivey, Stokes, Strange, Stubbs, Tarver, Thomas, Townsend of Lampasas, Townsend of Angelina, Turner, Turney, Watkins, Ward, Wayland, Webster, Whitacre, Williams, Wurzbach.

Messrs. Sebastian, Beall and Langhammer absent on joint inaugural committee.

The Speaker announced a quorum present.

Prayer by Rev. Dr. R. K. Smoot, chaplain of the Senate.

The Speaker directed the Clerk to read the following report of the joint committee to arrange for counting the vote for Governor and Lieutenant Governor and to arrange for the inaugural ceremonies of the same:

Austin, Jan. 11, 1895.

Hon. M. M. Crane, President of the Senate, and Hon. T. S. Smith, Speaker of the House of Representatives:

Your Joint Committee appointed to make arrangements to count the vote and arrange to inaugurate the Governor and Lieutenant Governor beg leave to recommend that the House and Senate meet in joint session in the Hall of the House of Representatives on Saturday, the 12th instant at 10:30 o'clock a. m. for the purpose of counting said vote, and that the House and Senate meet in the Hall of the House of Representatives on Tuesday, the 15th instant, at 12 o'clock m., when the Joint Committee will escort the Governor and Lieutenant Governor elect to the Speaker's stand, when the oath of office will be administered by the Chief Justice of the Supreme Court. Respectfully submitted,

SEBASTIAN,  
BEALL,  
LANGHAMMER,

On the part of the House.

AGNEW,  
TIPS,  
STEELE.

On part of the Senate.

The Speaker then announced that the two Houses were in joint session for the purpose of inaugurating the Governor and Lieutenant Governor elect.

The joint committee on inaugural ceremonies were announced at the bar of the House, accompanied by Governor James S. Hogg, Governor-elect Charles A. Culberson, Lieutenant Governor M. M. Crane, Lieutenant Governor-elect George T. Jester, Chief Justice R. R. Gaines, and Clerk of the Supreme Court Charles S. Morse, all of whom, except the last, together with the joint committee, were seated on the Speaker's stand.

The Speaker introduced Governor Hogg, who addressed the House in a few appropriate remarks, and directed the Chief Justice to administer the oath of office to Governor-elect Charles A. Culberson.

Governor Hogg then introduced Charles A. Culberson to the audience as Governor of the State of Texas, and Governor Culberson spoke as follows:

These impressive ceremonies place me under profound obligations to the people of Texas. For the marked consideration which they have shown me no adequate return can be made. Their partiality and kindness, of which I am keenly sensible and justly proud, will ever be held in grateful acknowledgment and as the highest expression of appreciation my best energies will be consecrated to their service.

Under ordinary circumstances the as-

sumption of the duties of this high office would carry with it serious responsibility and misgivings. These reflections are intensified by well known conditions which now confront us and it is manifest that the situation demands a clear and firm purpose, a large measure of forbearance and co-operation by the different branches of government and unyielding observance of public pledges. So far as I may be able to influence legislation or the administration of affairs the Constitution of my State, the avowed principles of my party and my public assurances shall guide and control, and the path thus marked out shall be followed whithersoever it leads; for in this great presence and impressed by the solemnity of the occasion, it may be permitted me to declare that the confidence of the people in the integrity of deliberate and well considered promises is dearer to me than power or the glamour of office.

Loving Texas with patriotic devotion, warmly attached to her ennobling history and traditions, deeply concerned for the welfare and advancement of her people and anxious for the growth and development of her material interests, these grave duties are assumed with no thought distinct from her greatness, no higher aim than to maintain her honor untarnished and no nobler ambition than to contribute something to good government and the happiness and prosperity of her toiling thousands.

This great audience, I feel certain, will unite with me in tendering Governor Hogg on his retirement from office assurance of the high esteem in which he is held. His has been a useful and remarkable career. Large of body and mind, great hearted, generous and brave, devoted to the masses, his place in the affections of the people is securely fixed and the great impress he has left upon our legislation is an enduring monument to his fidelity, his courage and his statesmanship. Wherever his lot and his fortunes may be cast, the best wishes of the people will attend him for his continued success and happiness.

The Speaker then introduced Lieutenant Governor Crane, who, after a few appropriate remarks, presented Lieutenant Governor-elect George T. Jester, and directed that the oath of office be administered to him by the Chief Justice.

Chief Justice R. R. Gaines then administered the oath of office to Lieutenant Governor-elect Jester.

Lieutenant Governor Crane then introduced George T. Jester to the audience as Lieutenant Governor of Texas, and he spoke as follows:

Senators and Representatives:

In assuming the duties of trust bestowed upon us by the sovereign will of the people, we should not fail to be impressed with the grave responsibility it implies and to consecrate at the commencement of our service our time and ability to the best interest of the whole people and the State.

On the fourth day of next July a half century will have passed away since the

chosen delegates of the Republic of Texas assembled in convention in this beautiful city, then the capitol of the young Republic, and accepted the invitation and terms of the Federal Government, entered the sisterhood of States and became a part of the American Union. In this semi-centennial year of our existence as a State, it is meet that we should recur to our past history, and gaining knowledge and inspiration from the wisdom and patriotism of the founders of our government and our predecessors strive to emulate their service and devotion to Texas.

The young Republic, conceived in the wisdom and matured by the patriotism of such heroes as Houston, Austin, Rusk, and their associates, covered but the brief span of ten years, but that time has fully demonstrated the wisdom of their belief that Texas possesses all the requisites, both in domain and diversified resources, sufficient to maintain a free and independent Republic.

But wisely we became a State, the Empire State, capable of being made the most independent and self-sustaining of all the States of the Union, for we can produce within our borders every product necessary to the sustenance and enjoyment of life, and our resources are as inexhaustible as they are varied. We produce one-seventh of the cotton crop of the world, and one-fourth of that of the United States, and possess a territory sufficient to produce the present entire crop.

I shall not dwell here, yet I cannot pass without saying that unfortunately for us in common with the other Southern States our crops in the past have not been sufficiently diversified, an overproduction of cotton has resulted and its growth has become unprofitable.

If the South were to decrease its cotton acreage one-third, and in lieu thereof raise the food crops which our cotton now buys, the farmer would receive as much for two bales of cotton as he now does for three, and the food crop would make the home self-sustaining.

Cotton would no longer be the credit, but the surplus crop, and the farmer could sell during twelve months in the year and not be forced, as now, to throw his entire crop upon the market within the brief space of three or four months.

The money sent out of the State to purchase that which we should produce at home would remain in circulation among us, contributing in a measure to the solution of the financial problem and increasing generally the prosperity and wealth of the people; for it has become axiomatic that no State can become truly great so long as its smoke houses and factories are without the borders of its own territory. With an increase of factories for the manufacturing of our raw materials the discovery and development of our vast mineral and other resources the golden age would indeed dawn upon us and all Texas would laugh with prosperity.

It can truly be said that our State

laws, both organic and statutory, are most favorable to the masses, the average taxpayer receiving more from the State in the education of his children than he contributes in taxes to the support of the entire government. And our State tax is but about one-half of that of the average of the Southern States.

In our deliberations let us adhere to the doctrine taught by all true apostles of American liberty, that the sole end of legislation should be the greatest good to the greatest number; that the government should do nothing for the citizen which the citizen is able to do for himself; that the people should support the government, not the government the people; and in return the government should protect the people in life, liberty and the pursuit of happiness, and that the citizen should be accorded the largest degree of personal liberty consistent with the good order of society.

In this day and time when all forms of paternalism are invading the politics of the State and nation, let us stand close to the constitution, and contending as did our fathers of old for its strict construction, administer economically, and on a cash basis, the affairs of the government with a revenue sufficient to maintain the different institutions of the State commensurate with its growth and development.

Broad, patriotic and unsectional statesmanship is necessary in legislating for this great State with its manifold interests.

As the representatives of our large sisterhood of counties let us legislate for all classes and for the development of all sections in the true spirit of the brotherhood of man, and with implicit faith and trust in the fatherhood of God.

At the conclusion of the Lieutenant Governor's address, the Speaker announced that the business of the joint session was concluded.

On motion of Senator Whitaker, the Senate retired to its chamber.

#### AFTER JOINT SESSION—IN SENATE.

Ex-Lieutenant Governor Crane in the Chair.

Roll called. Quorum present.

The following answering to their names:

Agnew, Atlee, Bailey, Beall, Boren, Bowser, Colquitt, Crowley, Darwin, Dean, Dibrell, Dickson, Gage, Goss, Greer, Harrison, Lawhon, Lewis, McKinney, Presler, Rogers, Sherrill, Simpson, Smith, Steele, Tips, Whitaker, Woods.

Excused—Senators McComb and Shelburne.

The Chair made a few happy remarks, bidding adieu to the Senate as its presiding officer, and assuring the Senators of his appreciation of their uniform courtesy to himself and his continued high



regard for them, closing by introducing his successor, Hon. Geo. T. Jester, Lieutenant Governor.

Lieutenant Governor Jester then declared the Senate adjourned till 10 o'clock a. m. tomorrow.

#### EIGHTH DAY.

Senate Chamber.  
Austin, Tex., Jan. 16, 1895.

Senate met pursuant to adjournment.

Lieutenant Governor Jester in the chair.

Roll called. Quorum present, the following Senators answering to their names: Agnew, Atlee, Bailey, Beall, Boren, Bowser, Colquitt, Crowley, Darwin, Dean, Dibrell, Dickson, Gage, Goss, Greer, Harrison, Lawhon, Lewis, McNeey, Presler, Rogers, Sherill, Simpson, Smith, Steele, Whitaker, Woods.

Absent—Senators McComb and Tips.

Excused—Senator Shelburne.

Prayer by the Chaplain, Rev. Dr. Smoot.

Pending the reading of the Journal of yesterday,

On motion of Senator Greer, the same was suspended.

#### COMMITTEE REPORTS.

Committee Room.  
Austin, Tex., Jan. 1895.

Hon. George T. Jester, President of the Senate:

Your Judiciary Committee No. 1, to whom was referred

Senate bill No. 23, entitled "An act to repeal chapter 15, of the general laws of the State of Texas, passed at the regular session of the Twenty-third Legislature, and to revise article 2309 of the Revised Civil Statutes of the State of Texas,"

Have had the same under consideration, and instruct me to report it back to the Senate with the recommendation that the accompanying committee substitute be adopted in lieu of said Senate bill No. 23, and said substitute do pass.

SMITH, Chairman.

Committee substitute to Senate bill No. 23.

A bill to be entitled "An act to amend section 1, chapter 15, of the general laws of the State of Texas, passed at the regular session of the Twenty-third Legislature, and to fix the time and place of making sales of real estate under execution order of sale, or venditioni exponas, and to prescribe the mode and manner of advertising such sales.

Section 1. Be it enacted by the Legislature of the State of Texas, That section 1, chapter 15, of the general laws of the State of Texas, passed at the regular session of the Twenty-third Legislature, be and the same is hereby amended, so that the same shall hereafter read as follows:

That article 2309 of the Revised Statutes of the State of Texas shall hereafter read as follows:

Article 2309. The time and place of making sale of real estate in execution shall be publicly advertised by the officer for at least twenty days successively next before the day of sale, by posting up written or printed notices thereof at three public places in the county, one of which shall be at the door of the courthouse of the county; provided that whenever real property shall be levied on by virtue of any execution, or shall be subject of any order of sale or venditioni exponas, if the defendant shall within five days after the levy of the execution or the issuance of the order of sale, or venditioni exponas, file with the officer making the levy or having the process a written request that notice of sale be published in a newspaper the same shall be so published, if there be a newspaper published in the county that will publish the same for the compensation allowed herein. When said request is filed the officer shall under the provisions of this act, publish notice of the sale in a newspaper published in the county for three consecutive weeks. Said notice shall contain a statement of the authority by virtue of which the sale is to be made, the time of levy and the time and place of sale; it shall also contain a brief description of the property shall be sold, and shall give the number of acres, original survey, locality in the county, and the name by which the land is most generally known, but it shall not be necessary for it to contain field notes.

Publishers of newspapers shall receive for publishing said sales seventy-five cents per square for the first insertion and fifty cents per square for subsequent insertions, to be taxed and paid as other costs; in such publications ten lines shall constitute a square, and the body of no such advertisements shall be printed in larger type than brevier.

Committee Room,  
Austin, Texas, Jan. 15, 1895.

Hon. Geo. T. Jester, President of the Senate:

Your Judiciary Committee No. 1, to whom was referred

Senate bill No. 31, entitled "An act to amend article 3201, title 62, chapter 1, of the Revised Civil Statutes of the State of Texas,"

Have had the same under consideration, and instruct me to report it back to the Senate with the recommendation that it be considered in connection with Senate bill No. 20.

SMITH, Chairman.

Committee Room,  
Austin, Texas, Jan. 15, 1895.

Hon. Geo. T. Jester, President of the Senate:

Your Judiciary Committee No. 1, to whom was referred

Senate bill No. 22, entitled "An act to amend article 3222, title 62, chapter 3, of the Revised Civil Statutes of the State of Texas,"

Have had the same under consideration, and instruct me to report it back